

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MELVIN M. HUDSPATH,

Petitioner,

v.

KYLE OLSON, *et al.*,

Respondents.

Case No. 3:20-cv-00638-LRH-CLB


**ORDER GRANTING MOTIONS**

(ECF Nos. 51, 54)

This habeas matter is before the Court on Respondents' motion to extend the deadline to file and serve their answer to the Third Amended Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. (ECF No. 54). Previously, the Court extended the answer deadline to February 23, 2023. (ECF No. 49). Respondents move for a fifth extension of time, arguing that counsel faced a personal emergency that prevented them from completing and filing the answer by the deadline. (ECF No. 54 at 2). Counsel seeks an additional 7 days, up to and including March 2, 2023, to file the answer. (*Id.* at 3). The Court finds that good cause exists to extend the deadline a fifth time.

Also before the Court is Respondents' motion to seal Exhibit 72 to their answer. (ECF No. 51). Respondents argue that compelling reasons exist to seal the exhibit because it its Petitioner's presentence investigation report and contains sensitive information that, if publicly known, could jeopardize Petitioner's safety and prison security. (ECF No. 51 at 2). Petitioner does not oppose the motion. (ECF No. 53). Having reviewed the exhibit in camera, the Court finds that it contains sensitive information about Petitioner that could be used for improper purposes like placing his safety at risk. Further, the presentence report contains information that is defined as confidential under Nevada law. Nev. Rev. Stat. § 176.156. The Court finds that compelling reasons exist to seal the presentence report that outweigh the presumption favoring public access. *See Center for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1096–97 (9th Cir. 2016) (collecting cases).

DATED this 24<sup>th</sup> day of February, 2023.

  
LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE